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No. 721

FILED

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CHARLES LEMMON BROPL
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IN THE
Supreme Court of the United States

OCTOBER TERM, 1945

CAPITOL WINE & SPIRIT CORPORATION, *Petitioner,*

v.

STEWART BERKSHIRE, As Deputy Commissioner of the
Bureau of Internal Revenue, et al.

**PETITION FOR A RE-HEARING AND FOR LEAVE TO
FILE BRIEF IN ANSWER TO BRIEF OF
DEFENDANT.**

JOSEPH P. TUMULTY, JR.,
Counsel for Petitioner.

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*To the Honorable Harlan F. Stone, Chief Justice of the
United States, and the Associate Justices of the Su-
preme Court of the United States:*

The petitioner, Capitol Wine & Spirit Corporation, respectfully prays that the Court grant a rehearing of this case and also grant leave to the petitioner to file a brief in answer to the brief of the defendant filed herein.

There are a number of points raised in the brief of the defendant which the petitioner feels should be answered, which it does not believe have been presented to the Court in the original petition for writ of certiorari filed herein, and which should be called to the attention of the Court.

Respectfully submitted,

JOSEPH P. TUMULTY, JR.,
Counsel for Petitioner.

Joseph P. Tumulty, Jr., certifies that the foregoing petition by him signed is filed in good faith and not for delay.

JOSEPH P. TUMULTY, JR.